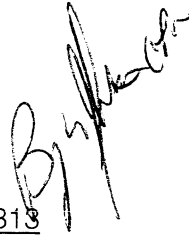


DATE: April 22, 2005
TO: Municipal Clerk
FROM: Byron E. Johnson, C.P.M.
Director of Purchasing X4313
THRU: Rachel Johnson
Clerk Typist II X4162



Please place the following item on the **REGULAR** agenda for the Council Meeting of **MAY 3, 2005**:

That the City of El Paso hereby awards Solicitation for Grandview Park and Pool Improvements, No. 2005-159, to F. T. James Construction, Inc. in the amount of \$522,311.00 as this Offeror provides the Best Value to the City based on the published criteria and on its ranking evaluation; and

That the City Manager be authorized to sign the contract referenced above; and

That the City Manager be authorized to execute budget transfers for this award and project, as necessary; and

That the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order and 25% of the original contract price as awarded, without further authorization by City Council.

Contact person: Byron E. Johnson, C.P.M., Director of Purchasing at 541-4313

AGENDA FOR: MAY 3, 2005

**CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)**

DEPARTMENT: Purchasing

AGENDA DATE: May 3, 2005

CONTACT PERSON/PHONE: Byron Johnson, Director of Purchasing (X4313)

PROJECT NAME/SOLICITATION NO. Grandview Park and Pool improvements, Solicitation No. 2005-159

DISTRICT(S) AFFECTED: 2

SUBJECT:

Award Best Value Procurement for the construction of the Grandview Park and Pool Improvements (Solicitation No. 2005-159) to F. T. James Construction, Inc. in the amount of \$522,311.00 (Negotiated price with Contractor) as per recommendations from the Departments of Parks and Perspectiva 3/DI. F. T. James Construction, Inc. has provided the best value proposal. It is requested that the City Manager be authorized to sign the referenced contract and the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

BACKGROUND / DISCUSSION:

Bid Tabulation, Negotiated Documents and Best Value Evaluation Sheet are included in agenda backup.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

This project is funded by the 2004 Bond Election.

Funding is available in 14101001-PQLPA118-60118-508027 \$487,311.00 and

31131001-P501540-27075-508027 \$35,000.00

A budget transfer is not necessary at this time.

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____

FINANCE: (if required) _____

DEPARTMENT HEAD: _____

(Example: _____)

if RCA is initiated by Purchasing, client department should sign also
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA: _____

CITY MANAGER: _____

DATE: _____

CONSTRUCTION PROJECT FORM – BEST VALUE PROCUREMENT
Lump Sum

DATE: 4/22/05
PROJECT: Grandview Park and Pool Improvements
SOLICITATION NO: 2005-159
ACCOUNT NO(S): 14101001-PQLPA118-60118-508027 & 31131001-P501540-27075-508027
FUNDING SOURCE: 2004 QOL Bonds
DEPARTMENT: Park & Recreation
DISTRICT(S): 2

AGENDA DATE: 5/03/05

CONTRACTOR: F. T. James Construction, Inc.
AMOUNT: \$522,311.00

RECOMMENDATION:

The Department of Parks & Recreation and Perspectiva 3/DI recommend the award of this contract to F. T. James Construction, Inc., as this Offeror has provided the Best Value Proposal. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

DESCRIPTION OR EXPLANATION:

See attached negotiated price

TOTAL RECOMMENDED AWARD: \$522,311.00

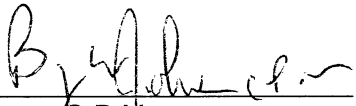
TIME FOR COMPLETION: 210 Consecutive Calendar Days

LIQUIDATED DAMAGES: \$1,171.00/Consecutive Calendar Day

COUNCIL or MASS TRANSIT BOARD: Approved ☐ Rejected ☐

Municipal Clerk _____ Date _____

APPROVED:



Byron E. Johnson, C.P.M.
Director of Purchasing

Date April 22, 2005
To: Municipal Clerk
FROM: Byron E. Johnson
Director of Purchasing X4313
THRU: Rachel Johnson
Clerk Typist II X4162

Please place the following item on the REGULAR agenda for the Council Meeting of 5/03/05.

That the City of El Paso hereby awards Solicitation for Grandview Park and Pool Improvements, No. 2005-159, to F. T. James Construction, Inc. in the amount of \$522,311.00 as this Offeror provides the Best Value to the City based on the published criteria and on its ranking evaluation; and

That the City Manager be authorized to sign the contract referenced above; and

That the City Manager be authorized to execute budget transfers for this award and project, as necessary; and

That the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order and 25% of the original contract price as awarded, without further authorization by City Council.

Contact person: Byron E. Johnson, Director of Purchasing at 541-4313

AGENDA FOR: 5/03/05

RESOLUTION

WHEREAS, the City Council of the City of El Paso (the “**City**”), by Resolution dated March 12, 2002, determined that the Competitive Sealed Proposal Method, as set forth in Section 252.043(h) of the Local Government Code, is the project method that provides the best value to the City when entering into a contract for the construction of a facility;

WHEREAS, the selection of a construction contractor for the Grandview Park and Pool Improvements, Solicitation No. 2005-159, shall be accomplished through the use of the Competitive Sealed Proposal Method;

WHEREAS, certain procedures must be met under state law when selecting a contractor for construction of a facility through Competitive Sealed Proposal Method;

WHEREAS, the City has followed the required procedures by preparing a request for competitive sealed proposals that includes construction documents, selection criteria used in selecting the successful offeror, estimated budget, project scope, schedule, and other information that contractors may require to respond to the request;

WHEREAS, the City has received, publicly opened, and read aloud the names of the offerors and the prices stated in each proposal and has, no later than the 45th day after the date of opening the proposals, evaluated and ranked each proposal submitted in relation to the published selection criteria;

WHEREAS, the City selects F. T. James Construction, Inc. (the “**Company**”) as the Offeror that offers the best value to the City based on the published selection criteria and on its ranking evaluation; and

WHEREAS, the City has successfully negotiated a contract with the Company and has, along with the Architect, discussed with the Company options for a scope or time modification and price change associated with the modification.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City of El Paso hereby awards Solicitation No. 2005-159 for Grandview Park and Pool Improvements to the Company in the amount of \$522,311.00, as this offeror provides the best value to the City based on the published criteria and on its ranking evaluation;

THAT the City Manager be authorized to sign the contract;

THAT, the City Manager be authorized to execute budget transfers for this award and project as necessary; and

THAT the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order and 25% of the original contract price as awarded, without further authorization by City Council.

ADOPTED this 3rd day of May, 2005.

CITY OF EL PASO

Joyce Wilson
City Manager

APPROVED AS TO FORM:

Jorge Villegas
Assistant City Attorney

APPROVED AS TO CONTENT:

Byron E. Johnson, Director
Purchasing Department

SCOPE OF WORK
GRANDVIEW PARK AND POOL IMPROVEMENTS
Solicitation No. 2005-159

The project consists of miscellaneous demolition that includes but is not limited to refurbishing the existing Pool Building and miscellaneous Site Improvements.

Renovations which are part of Base Bid include but are not limited to the following;

Provide demolition of existing facilities in the main Pool Building.
Provide new restrooms and shower areas for Men and Women and make HC accessible.
Provide new paint and finishes throughout facility.
Provide new reception-ticket counter for monitoring entry into the Building.
Upgrade electrical system in entire Building.
Provide and install new evaporative air conditioning unit for reception area.
Provide and Install new HC accessible EWC's at entrance to Building.
Provide and install new exterior Shower and hose bib.
Remove existing Pool filters and install new system with all power requirements.
Provide new concrete HC parking spaces along Jefferson Ave. and provide accessible route into Building.
Install landscaping to include trees and shrubs as shown on drawings.
Provide and install Handicap accessible playground equipment as detailed in the drawings and called out in the specifications. Provide accessible route from street edge to playground area. Provide rubber surface for access and 1'-0" of sand around playground.
Provide and install concrete park sign and park rules sign as shown on the drawings.
Provide asphalt hump at entrance to parking lot west of the Pool Building.
Provide concrete flume at corner of west parking lot for water movement.
Provide rockwall around southern edge of swimming pool.
Provide earthwork and grading operations as noted in the drawings.

ALTERNATE NO. 1: SITE IMPROVEMENTS AT SOUTHEAST CORNER OF PARK SITE (Justus St. and McKinley Ave.)

Alternate One includes but is not limited to the following; Provide and install two metal picnic shelters with picnic tables, trash receptacles, concrete slab, concrete walks, lighting for shelter, concrete poles with lights and electrical service at existing Basketball court. See drawings for locations.

ALTERNATE NO. 2: NEW FAÇADE AT BUILDING ENTRANCE.

Alternate Two includes but is not limited to the following; Provide metal stud framing and stucco finish for new façade at entrance to existing building. Provide stucco finish on entire front of existing Pool Building with reveals.

ALTERNATE NO. 3: RE-SURFACE EXISTING TENNIS AND BASKETBALL COURTS.

Alternate Three includes but is not limited to the following; Provide new acrylic surface on both basketball and tennis courts, repair all cracks, clean all expansion joints. Remove existing tennis court nets and posts & provide new nets and posts.

ALTERNATE NO. 4: REPAIR CONCRETE BLEACHERS

Alternate Four includes but is not limited to the following; clean and remove chipped and broken concrete from existing concrete bleachers. Provide new four inch concrete cover with reinforcement as shown on drawings.

CITY OF EL PASO BID TABULATION

BID ITEM: GRANDVIEW PARK AND POOL IMPROVEMENTS
 BID DATE: APRIL 13, 2005

SOLICITATION NO. 2005-159
 DEPARTMENT: PARKS

	FT James Construction, Inc. El Paso, Tx.	Jan-Car, Inc. Horizon City, Tx.	Blair-Hall, Inc. El Paso, Tx.	Hellas Sport Surfaces Lakewood, Co. Error On Bid Bidder Requests To Withdraw Bid		
DESCRIPTION	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
BASE BID	\$548,111.00	\$627,600.00	\$614,000.00	\$15,768.01		
ALTERNATE NO. 1	\$37,111.00	\$61,600.00	\$47,000.00	\$0.00		
ALTERNATE NO. 2	\$15,111.00	\$23,600.00	\$23,000.00	\$0.00		
ALTERNATE NO. 3	\$14,111.00	\$37,800.00	\$26,000.00	\$15,768.01		
ALTERNATE NO. 4	\$31,111.00	\$46,300.00	\$42,000.00	\$0.00		
SUM TOTAL BASE BID & ALTERNATES	\$645,555.00	\$796,900.00	\$752,000.00	\$31,536.02		
AMENDMENTS ACKNOWLEDGED	NONE ISSUED	NONE ISSUED	NONE ISSUED	Contractors total zero		
BID BOND SUBMITTED	Yes	Yes	Yes	Cashiers Check		

CHECKED BY: Wm W. Re 4-14-05

RECOMMENDATION
BEST VALUE OFFEROR CERTIFICATION

Grandview Park & Pool Improvements & Proposal # 2005-159

The evaluation of offers for the Best Value Procurement for this Proposal has been completed.

The Offeror, F.T. JAMES, has received the
(Contractor's Name)

highest score, 100, and is, therefore, certified as offering the City of El Paso the Best Value for this project.

The amount of the award will be \$ NEGOTIATED PRICE WITH CONTRACTOR

This amount includes the following proposal components and alternates with their corresponding amounts:

PROPOSAL COMPONENT	\$ AMOUNT
	\$ 522,311.00

I, Bernal, of P+3,
(Name) (Department or Firm)

concur with this Certification on this the 14th day of APRIL 2005.

I, Paul Garcia, of PARKS,
(Name) (Department or Firm)

concur with this Certification on this the 14 day of APRIL 2005.

I, [Signature], of ARCHITECTURE,
(Name) (Department or Firm)

concur with this Certification on this the 14 day of APRIL 2005.

BEST VALUE PROCUREMENT EVALUATION SHEET
Grandview Park & Pool Improvements, Proposal No. 2005-159.

CRITERIA	F. T. James Construction, Inc.	Blair-Hall Co., Inc.	Jan-Car, Inc.	Hellas Sport Resurface
Part A: Offeror's Price Maximum 65 Points <i>Low Offer / Offer * 65</i>	65	55.7	52.6	
Part B: Offeror's Past Relationship with Owner Maximum 10 points <i>Contract Compliance w/City Contracts (0 - 8 pts)</i> <i>Completion of City Contracts by Completion Date (0 - 2 pts)</i> <i>Negative Performance on City Contracts (0 to -10 pts)</i>	10	10	10	
Part C: Offeror's Experience & Qualifications Maximum 10 Points <i>Completed Projects Similar Size/Scope/Value (0 - 8 pts)</i> <i>Offeror Has Been in Business More Than 5 yrs (0 - 2 pts)</i> <i>Negative Performance on Contract(s) (0 to -10)</i>	10	10	10	
Part D: Health Benefits Maximum 5 Points <i>Offeror Provides & Pays 60% or More of Cost (0 or 5 pts)</i>	5.00	5.00	5.00	
Part E: Local Project Manager Maximum 5 Points <i>Prime Contractor has a Local Project Mgr (0 or 5 pts)</i>	5.00	5.00	5.00	
Part F: Local Subcontractor Work Maximum 5 Points <i>Local Subs to perform 75% of subcontracted work (0 or 5 pts)</i>	5.00	5.00	5.00	
TOTAL POINTS EARNED	100	90.3	87.6	

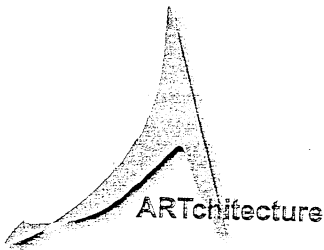
RECOMMENDATION

The following Best Value Committee Members certify these scores on this the 9th day of April, 2005.

Richard Maria Parks
 User Department

[Signature]
 Design Architect or Engineer

Benual P+3
 City Engineering



Architecture • Planning • Interior Design

April 21, 2005

Mr. Gerry Bernal, P.E.
PERSPECTIVA + 3D/I
7380 Remcon Circle – Suite A
El Paso, TX 79912

RE: **Grandview Park & Pool Improvements**
Bid. No. 2005-159

Dear Mr. Bernal,

This letter is regarding the low bid for Grandview Park and Pool. We recommend that the contract for construction be awarded to F.T. James Construction, Inc. after modifications to the documents. As per our meeting Friday April 15, 2005 the following is a list items that were discussed

Front counter and aluminum window wall –

The aluminum window will be reduced in size and the counter will be modified. Cost reduction - \$5,300.00

Doors and Frames –

Change doors and frames from Fiberglass to Galvanize. Cost reduction - \$10,500.00

Pool equipment –

Reduce pool equipment . Cost reduction - \$5,000.00

Rubber surface –

Reduce rubber surface from project. Relocate playground equipment - \$10,000.00

TOTAL REDUCTION IN COST \$30,800.00


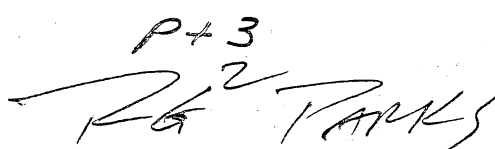
These reductions leave the project over budget by \$28, 211.00. Parks Department requested that the existing Basketball court be resurfaced with acrylic surfacer at a cost of \$5,000.00. The Parks Department will need to acquire \$33,311.00 from its contingency fund for the project to be awarded.

If you have any questions or require additional information please do not hesitate to contact us.

Respectfully Submitted,

ARTchitecture


Fred Perez, AIA


P+3

PARKS

CITY OF EL PASO
VALUE ENGINEERED NEGOTIATED CHANGE

DATE:	14/27/2005	VEN CHANGE:	1
		<input type="checkbox"/> SCOPE CHANGE	<input checked="" type="checkbox"/> CONSTRUCTION CHANGE
PROJECT:	Grandview Park & Pool Improvements	SOLICITATION NO.	2005-159
TO (Contractor):	F. T. James Construction, Inc. 700 W. Paisano El Paso, Tx 79901	DEPT. ID#:	14101001 & 31131001
		PROJ/GRANT/USER:	PQLPA118 & P501540
		FUND:	60118 & 27075
		ACCOUNT:	508027


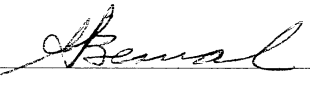
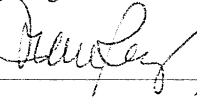
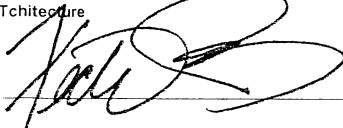
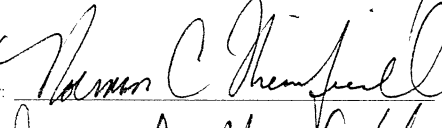
You are directed to make the following changes in these Contract requirements::

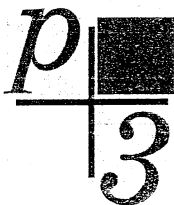
- | | |
|---|---------------|
| 1. The aluminum window will be reduced in size and the counter will be modified. Cost reduction - | (\$5,300.00) |
| 2. Change doors and frames from Fiberglass to Galvanize. Cost reduction - | (\$10,500.00) |
| 3. Reduce pool equipment. Cost reduction- | (\$5,000.00) |
| 4. Reduce rubber surface from project. Relocate playground equipment - | (\$10,000.00) |
| 5. Add portion of alternate # 3 - Refinish basketball court only | \$5,000.00 |

Value Engineered Negotiated Change: \$ (25,800.00)

Original Proposal Amount	\$ 548,111.00
Sum will be decreased by this Value Engineered Negotiated Change	\$ (25,800.00)
New Contract Sum, including this Value Engineered Negotiated Change	\$ 522,311.00
Total Net Value of Value Engineered Negotiated Change	\$ (25,800.00)

Contract Time will be **unchanged**

CONTRACTOR	PROJECT MANAGER - COEP USER DEPARTMENT	CITY OF EL PASO
<p>F. T. James Construction, Inc.</p> <p>By: </p> <p>Type or Print Name: FRANK T. JAMES</p> <p>Date: 4/15/05</p>	<p>Perspectiva - 3DI</p> <p>By: </p> <p>Type or Print Name: Garry Bernal</p> <p>Date: 4/15/05</p>	<p>CITY COUNCIL ACTION REQUIRED:</p> <p style="text-align: center;">[] No [X] Yes</p> <p style="text-align: center;">Date Approved</p> <p>Acknowledged as Contract managed by P+3.</p> <p>By: </p> <p>Irene Ramirez</p> <p>Rick Conner City Engineer 4/28/05</p>
<p>ARCHITECT / ENGINEER</p> <p>By: </p> <p>Type or Print Name: FEDERICO PEREZ</p> <p>Date: 4.28.05</p>	<p>PARKS AND RECREATION DEPARTMENT</p> <p>By: </p> <p>Type or Print Name: Norman C. Merrifield</p> <p>Date: 4/28/05</p>	



April 15, 2005

Mr. Michael Plum, Section Chief Purchasing Department
City of El Paso
2 Civic Center Plaza
El Paso, Texas 79901

Ref: Grandview Park and Pool Improvements
Bid No. 2005-159
Best Value Engineering Negotiations

Dear Mr. Plum,

On April 15, 2005 the following individuals met to initiate Best Value Negotiations with FT James, the recommended Best Value contractor;

Gerry Bernal – P+3
Fred Perez – ARTchitecture
Richard Garcia – Parks Department
Joe Ortiz – Parks Department
Rick Miller – FT James General Contractor

The following is a summary of the negotiations:

FT. James Bid for “Base Bid” \$ 548,111.00

Deduct the following from the Base Bid:

Reduce the aluminum window and counter space at reception area. Deduct \$ 5,300.00

Change interior doors from fiberglass to galvanized hollow metal. Deduct \$ 10,500.00

Cost reduction in pool equipment package. Deduct \$ 5,000.00

Reduce playground equipment resilient surface. Deduct \$ 10,000.00

Total Deduct from Base Bid. (\$ 30,800.00)

Alternate #3 – Add refinishing of basketball court only Add \$ 5,000.00

Total recommended Contract Award to FT James \$ 522,311.00

The following alternate was agreed to and is included as part of the proposed alternatives for the project.

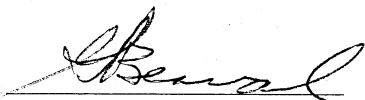
Alternate #2 – Exterior Façade Future Add \$15,111.00

Current Available Funding:

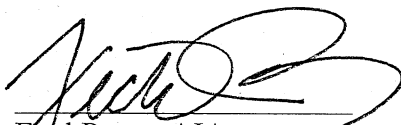
Project Funding:	\$ 489,081.00
Playground equipment funding from Parks (See attached)	\$ 35,000.00
Total	\$ 524,081.00

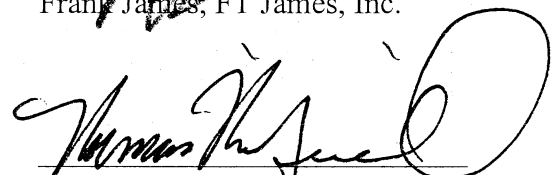
The following parties have negotiated in good faith with the overall idea of providing a complete project as per the original intent but modified as per the previous description. It is not the intent of either party to mislead the other and attempt to provide or require either less or more than the overall concept as described herein. It is also agreed that unless normal unforeseen circumstances occur within the construction period, no other change orders are anticipated.

The following agree to the foregoing and certify that they have negotiated in good faith.


Gerry Bernal, P.E – P+3


Frank James, FT James, Inc.



Fred Perez, AIA


Norman Merrifield, Ed.D.

CITY OF EL PASO, TEXAS
DEPARTMENT OF PARKS AND RECREATION

April 21, 2005

M E M O R A N D U M

To: Gerry Bernal, P. E., Project Manager, P+3
From:  Norman C. Merrifield, Ed. D., Director of PARD

Subject: Grandview Park Improvements Bond Project - funding

Dear Gerry,

I understand that there is a short fall in the project funding for award of this project to F. T. James General Contractors. Accept this memorandum as authorization to obtain \$35,000.00 from the following playground project account 31131001 / P501540 / 27075 / 508027. These funds will be utilized to supplement the originally allotted amount for the playground in order to insure that said playground will be included with this project.

Justification, designed playground is modular play structure with play events suitable for all age groups and children with disabilities. This structure is proportionate in size to the park and surrounding neighborhood that is served by this park. All equipment and supporting improvements are required to insure that this playground will provide a safe and accessible play environment for area residents and other patrons that will utilize the playground.

Thank you for your attention to this matter. If you have any questions feel free to contact me at (915) 541-4331.

cc: Fred Perez, AIA, *ART*chitecture
Richard Garcia, Park Operations Manager
Jose Ortiz, Parks Engineer Tech
File

PROPOSAL

TO THE HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO
EL PASO, TEXAS

GENTLEMEN:

The undersigned, having familiarized themselves with the local conditions affecting the cost of work and with the Contract documents consisting of Invitation for Competitive Sealed Proposals, Information for Offerors, General Conditions, the Contractor's Proposal, Special Conditions, Applicable Wage Rates, the Contract Form, Plans, Specifications, Drawings, and Addenda on file in the office of the Purchasing Department of the City of El Paso, hereby proposes to perform everything required to be performed and to provide, furnish and install all the labor, materials, necessary tools, expendable equipment, and all utility and transportation services, and to complete in a workmanlike manner all the work required for the

Grandview Park and Pool Improvements

SOLICITATION NO. 2005-159

within the specified limits and in accordance with the Plans and Specifications as prepared for the City of El Paso, including Addenda Number(s) _____, _____, _____, _____, _____, _____, _____, _____, _____, _____, AT THE FOLLOWING LUMP SUM (Additive alternate items are given on the following pages):

BASE BID:

The undersigned agrees to perform all of the work required for the total amount of:

\$ 548,111 -

COMPANY NAME: F.T. JAMES CONSTRUCTION, INC.

OFFEROR'S SIGNATURE: _____

I-C-a-1

ALTERNATE NO. 1: SITE IMPROVEMENTS AT SOUTHWEST CORNER OF PARK SITE
(JUSTUS ST. AND MCKINLEY AVE.)

The undersigned agrees to perform all of the work required for the total amount of:

\$ 37,111-

ALTERNATE NO. 2: NEW FAÇADE AT BUILDING ENTRANCE.

The undersigned agrees to perform all of the work required for the total amount of:

\$ 15,111-

ALTERNATE NO. 3: RE-SURFACE EXISTING TENNIS AND BASKETBALL COURTS.

The undersigned agrees to perform all of the work required for the total amount of:

\$ 14,111-

ALTERNATE NO. 4: REPAIR CONCRETE BLEACHERS

The undersigned agrees to perform all of the work required for the total amount of:

\$ 31,111-

SUM TOTAL BASE BID, ALTERNATES 1, 2, 3 & 4:

\$ 645,555

COMPANY NAME: F.T. JAMES CONSTRUCTION, INC.

OFFEROR'S SIGNATURE: 

1-C-a-2

CONTRACT TIME AND LIQUIDATED DAMAGES

The undersigned Offeror agrees to commence work on a date to be specified in a written Notice to Proceed and to substantially complete the work on which he/she has proposed within **Two hundred ten (210) CONSECUTIVE CALENDAR DAYS**.


Offeror agrees to pay as liquidated damages the sum of **One thousand, one hundred seventy one DOLLARS (\$1, 171.00)** for each consecutive calendar day thereafter as provided in paragraph 6.8 of the General Conditions of the Contract.

PROPOSAL

Enclosed with this proposal is a certified check or bid bond for five percent (5%) of the TOTAL offer including base bid(s) and alternate(s) which is agreed shall be collected and retained by the owner(s) as liquidated damages in the event this proposal is accepted by the Owner within sixty (60) consecutive calendar days after the date advised for the reception of offers and the undersigned fails to execute the contract and the required performance and payment bonds with the Owner within fourteen (14) consecutive calendar days after the date said proposal is accepted; otherwise, the said bid security shall be returned to the undersigned upon demand.

THE UNDERSIGNED OFFEROR REPRESENTS TO THE CITY AND TO THE OTHER OFFERORS THAT HIS/HER PROPOSAL, AND THE ESTIMATES ON WHICH IT IS BASED, HAS BEEN CAREFULLY CHECKED, CONTAINS NO ERRORS, AND NOTHING HAS BEEN OMITTED OR OVERLOOKED IN DETERMINING THE AMOUNTS OFFERED.

OFFEROR'S NAME: F.T. JAMES CONSTRUCTION, INC.

BY:  04/13/04
Signature Date

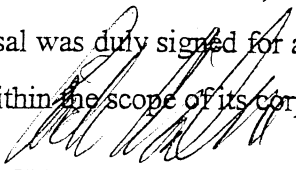
FRANK T. JAMES, PRESIDENT (915) 351-2400 (915) 351-2404
Print Signer's name & title Telephone Fax

700 W PAISANO DRIVE EL PASO, TEXAS 79901
Address City, State, Zip Code

SAME Physical Address of Business - if different from above City, State, Zip Code

IF THE OFFEROR BE A CORPORATION, THE FOLLOWING CERTIFICATE SHOULD BE EXECUTED:

I, RICK MILLER, certify that I am the Secretary of the corporation named as Bidder hereinabove; that FRANK T. JAMES, who signed the foregoing contract on behalf of the Bidder, was then PRESIDENT of said corporation; that said proposal was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.


CORPORATE SECRETARY SIGNATURE AND CORPORATE SEAL